

**TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING**

Town Hall

7/17/2001

7:31 P.M.

Present:
Deputy Supervisor Leonard
Council Members Lasker, Maloney, Mandia & Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Deputy Supervisor Leonard declared the Town Board Meeting open. Assemblage saluted the Flag.

Deputy Supervisor opened the public portion.

Appearance: Nichole Dolinder
New City

Regarding Item 1, who is Scenic Properties? Was there a real estate agent and commission with the sale? Suggested that the Town Board explore the option of purchasing Dellwood.

Appearance: Martin Berstein
New City

Regarding Item 1, is this an all cash and no condition sale?

Appearance: Theodore Dusanenko
Valley Cottage

Regarding Item 1, the sale of the potential golf course would make the Town whole and end the financial drain. Requested that the Town Board vote in favor of this proposal. He is against the purchase of Dellwood Country Club.

Appearance: V.J. Pradam
West Nyack

Regarding Item 1, six years ago the people were promised a golf course. There is still no golf course. This is a good offer and the Town Board should accept it. He is in favor of purchasing Dellwood Country Club.

Appearance: William Vines
West Nyack

Regarding Item 1, he is happy to see this item on the agenda. The Town Board should vote yes.

RESOLUTION NO. (549-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown is the owner of property situate in the Town of Ramapo, Rockland County, New York, and consisting of five parcels known and designated on the Town of Ramapo Tax Map as 32.11-1-4, 32.11-1-14, 32.11-1-15, 32.11-1-16 and 32.14-2-3, which premises were acquired by the Town of Clarkstown as municipal property with the intent of constructing a municipal golf course, and

WHEREAS, the Town Board has determined that it is not in the best interest of the taxpayers of the Town of Clarkstown to continue with the planning and other

RESOLUTION NO. (549-2001) Continued

development work necessary to construct said municipal golf course, and the project is about to be abandoned, and

WHEREAS, the premises referred to herein shall not be needed for any other municipal purposes, and

WHEREAS, SCENIC PROPERTIES, INC. has submitted an offer contained in a proposed Contract of Sale, a copy of which is on file in the Town Clerk's Office and deemed to be a part of this Resolution, to purchase said premises for a cash price of \$7,050,000.00, and

WHEREAS, the Town Board is desirous of disposing of said property and believes that the purchase price offered is fair and reasonable and the highest offer with the best terms of the three proposals which have been submitted;

NOW, THEREFORE, be it

RESOLVED, that the premises referred to herein, which are more particularly described in the Schedule "A" attached to the Contract of Sale referred to herein, is hereby declared surplus municipal property, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the sale of said property to SCENIC PROPERTIES, INC. for the sum of \$7,050,000.00, upon the terms and conditions set forth in said proposed Contract, and be it

FURTHER RESOLVED, that the Supervisor or in his absence Deputy Supervisor of the Town of Clarkstown be and is hereby directed to execute said Contract of Sale with SCENIC PROPERTIES, INC. by the end of the business day of July 18, 2001, and that the Town Attorney is hereby directed to mail a copy of the executed contract to SCENIC PROPERTIES, INC. by the end of the business day of July 19, 2001, and be it

FURTHER RESOLVED, that this Resolution for the sale of the aforesaid property is subject to a Permissive referendum, as provided for in Town Law Section 64(2), and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to take all steps required by law to consummate this transaction subject only to compliance with the provisions of Town Law Section 64(2), and be it

RESOLVED, that the Town Attorney prepare notice of such sale of surplus property, subject to Permissive Referendum, and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk.

Co. Lasker stated: No, the sale should be subject to mandatory referendum. All the facts should be presented to the public and they should be able to vote on the issue of a golf course on Election Day. We are the only Town without a golf course and there is no land available anywhere else for an 18 hole course. A golf course adds to the marketability and real estate value of a town. I have heard from residents on both sides of the issue and it seems to be evenly divided. If we had made the purchase of the property subject to a referendum, much of the controversy might have been averted.

On roll call the vote was as follows:

Councilwoman Lasker	No
Councilman Maloney	Yes
Councilman Mandia	Yes
Councilwoman Smith	Yes
Supervisor Holbrook	Absent

RESOLUTION NO. (550-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

“No Parking Here to Corner” signs at the following locations:

On both sides of Pine Street, Oak Street and Crestwood Street, New City 50 ft. from corner of Congers Road

and be it

FURTHER RESOLVED, that the Town of Clarkstown be directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor Holbrook Absent

RESOLUTION NO. (551-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of Howard L. Lampert, PE, Traffic and Highway Engineering Consultant, dated June 29, 2001, the Superintendent of Highways is hereby authorized to:

Install Yield sign (NYS #R1-2C) on eastbound Duryea Lane at Duryea Place/southbound Duryea Lane,

Remove Yield regulation on southbound Duryea Lane at eastbound Duryea Lane,

Remove Stop sign on northbound Duryea Place at Duryea Lane,

Remove Right Turn sign (W1-1C) on eastbound Duryea Lane, approximately 200 feet west of Duryea Place

and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Superintendent of Highways for implementation, and to the Traffic and Traffic Fire Safety Advisory Board, to Howard L. Lampert, and to the Chief of Police, for their information and for enforcement purposes.

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor Holbrook Absent

RESOLUTION NO. (552-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of Joel J. Epstein, Code Enforcement Officer dated July 10, 2001, the Superintendent of Highways is hereby authorized to:

Install a "Stop" sign on northbound Lenox Avenue at its intersection with Tremont Avenue, Congers

and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Superintendent of Highways for implementation, to the Traffic Engineer, Howard L. Lampert, and to the Traffic and Traffic Fire Safety Advisory Board, for their information and to the Chief of Police, for enforcement purposes.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Absent

RESOLUTION NO. (553-2001)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, THE Town of Clarkstown Police Department is responsible for the operation of the Clarkstown Police JUVENILE AID BUREAU, and

WHEREAS, the State and County have each recognized the need to assist local municipalities with such programs through the continuation of division for Youth funding on a 50/50 matching funds basis,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby approves and supports the submission of the Clarkstown Police Department's JUVENILE AID BUREAU grant application in the amount of nine thousand seven hundred fifteen dollars (\$9,715.00) for 50/50% Division for Youth funding for 2002, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall provide matching funds equal to or in excess of the monies reimbursed under the aforesaid grant, pursuant to the proposed budget submitted therewith.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Absent

RESOLUTION NO. (554-2001)

Co. Lasker offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown Police Department is responsible for the administration of the Clarkstown YOUTH COURT program, and

WHEREAS, the State of New York and County of Rockland have each recognized the need to assist local municipalities with such programs through the continuation of Division for Youth funding on a 50/50 matching funds basis.

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby approves and supports the submission of the Clarkstown Police Department's YOUTH COURT grant application in the amount of fourteen thousand five hundred seventy two dollars (\$14,572.00) for 50/50% Division for Youth funding for 2002, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall provide matching funds equal to or in excess of the monies reimbursed under the aforesaid grant, pursuant to the proposed budget submitted therewith.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Absent

RESOLUTION NO. (555-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #52-2001 – SALE OF SURPLUS VEHICLES

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by: 11:00 A.M.) (P.M.) on AUGUST 13, 2001 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Director of Purchasing.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Absent

RESOLUTION NO. (556-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #53-2001
CONCRETE CULVERT PIPE/CONCRETE BLOCK & BRICK

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by: 11:00 (A.M.) on: AUGUST 10, 2001_at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Clarkstown Director of Purchasing.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Absent

RESOLUTION NO. (557-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the recommendation of the Department of Environmental Control that

BID #38-2001
SOUTH CRANFORD ROAD DRAINAGE PROJECT

is hereby awarded to: HUDSON CANYON CONSTRUCTION
16 SCHUMAN ROAD
MILLWOOD, NY 10546
PRINCIPALS: THEODORE J. MULDOON

as per their low bid proposal of \$98,988.00 and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Director of Purchasing of the following:

- a) Signed Contract Documents - two sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability, Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Worker's Compensation Insurance coverage
- f) Certificate of Worker's Disability Insurance coverage

The Town of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project awarded.

RESOLUTION NO. (557-2001) Continued

On roll call the vote was as follows:

Councilwoman Lasker Yes
 Councilman Maloney Yes
 Councilman Mandia Yes
 Councilwoman Smith Abstained
 Supervisor Holbrook Absent

RESOLUTION NO. (558-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Wayne T. Ballard, Superintendent of Highways, recommends the hiring of Tectonic Engineering Consultants, P.C., in accordance with its proposal dated July 5, 2001, to provide construction inspection and material testing services for the 2001 Roadway resurfacing Program for the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract with Tectonic Engineering Consultants, P.C., in a form approved by the Town Attorney, to provide construction inspection and material testing services for the 2001 Roadway Resurfacing Program for the Town of Clarkstown, and be it

FURTHER RESOLVED, that the cost for said services shall not exceed the sum of \$30,000.00 and shall be charged to Account No. DB 5110-400-409-0.

On roll call the vote was as follows:

Councilwoman Lasker Yes
 Councilman Maloney Yes
 Councilman Mandia Yes
 Councilwoman Smith Yes
 Supervisor Holbrook Absent

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Co. Maloney seconded by Co. Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 8:00 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk